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DECISION



THE COMPTROLLER GENERAL
OF THE UNITED STATES
WASHINGTON, D. C. 20548

[Protest Alleging Awardee is Both Nonresponsive and Nonresponsible]

FILE: B-199069

DATE: July 1, 1980

MATTER OF: F. E. Moran, Inc.

DIGEST:

Protest of Tennessee Valley Authority procurement will not be considered since General Accounting Office is precluded by TVA Act from disallowing credit for expenditures which TVA Board determines necessary.

F.E. Moran, Inc. (Moran) [protests the award of a contract to Carolina Fire Equipment Company (Carolina) under invitation for bid No. J2-826673 issued by the Tennessee Valley Authority (TVA) for the procurement of a fire detection system. Moran contends that Carolina is both nonresponsive and nonresponsible.]

[We do not consider protests involving TVA procurements. 16 U.S.C. § 831h(b) (1976) precludes our Office from disallowing credit for any expenditure which the TVA Board determines necessary to carry out the TVA Act. Consequently, even should we disagree with the propriety of TVA actions, we would be unable to effect any remedial action, and thus no useful purpose would be served by our consideration of such protests. Motorola, Inc.--
Communications Division, B-190746, December 9, 1977,
77-2 CPD 453

Accordingly, [the protest is dismissed.]

Harry R. Van Cleave

for Milton J. Socolar
General Counsel

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